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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,082	10/31/2003	Kazuo Okada	SHO-0039	9727

23353 7590 02/26/2007  
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WASHINGTON, DC 20036

EXAMINER
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THOMASSON, MEAGAN J

ART UNIT	PAPER NUMBER
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3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/697,082

Applicant(s)

OKADA, KAZUO

Examiner

Meagan Thomasson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 1/8/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

The examiner acknowledges the addition of claims 4-6, enabled by paragraph 20 of the specification. No new matter has been added.

### ***Terminal Disclaimer***

The terminal disclaimer filed on December 11, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent No. 6,937,298 has been reviewed and is accepted. The terminal disclaimer has been recorded. The nonstatutory double patenting rejection has been withdrawn.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joeng (US 2003/0016313), Ozaki et al. (US 2001/0031658) and further in view of Loose et al. (US 6,517,433).**

Regarding claims 1 and 4, Loose discloses a gaming machine featuring a variable display means for variably displaying designs positioned behind a transparent liquid crystal display screen for superimposing video images upon the variable display means (abstract, Fig. 2a). Loose does not disclose the specific components of the liquid crystal display screen, including various panels and frame holders. In Fig. 6 of US 2003/0016313, Joeng discloses a liquid crystal display device, comprising a liquid crystal panel (212), a liquid crystal holder for holding the periphery of a display unit of the liquid crystal display panel (310), a panel frame for holding the periphery of the display unit (330), a light guiding plate for guiding light emitted from a light source to the rear side of said liquid crystal display panel (224), diffusion means for diffusing the light guided by the light guiding plate (226), and a rear holder for holding said liquid crystal holder, said panel frame, said light guiding plate and said diffusion means supported by said base frame on said base frame from behind. For a description of all named components, refer to Joeng, paragraphs 0044-0073.

The rear holder disclosed by Joeng does not feature windows for allowing the designs of the variable display means to be observed. Similarly, the liquid crystal display device of Loose does not disclose the use of windows because the entire

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display panel is transparent. However, Ozaki discloses a gaming device featuring a variable display means disposed behind an electroluminescent panel (Fig. 2). The rear panel of the gaming machine features windows for viewing the design displayed by the variable display device (Fig. 1, Fig. 2).

Regarding the base frame attached in front of the machine for supporting said liquid crystal holder, said panel frame, said light guiding plate and said diffusion means, the display unit disclosed by Ozaki include said base frame mounted in front of the gaming machine (Fig. 1, 33).

Additionally, the device disclosed by Joeng does not include a transparent plate disposed in front of the base frame. However, Loose discloses this transparent plate feature in Fig. 2a, component 16, wherein col. 2, line 67 discloses that "the display area 16 includes a glass cover/window".

Regarding claim 4, wherein the diffusion means is a diffusion sheet for diffusing the light guided by the light guiding plate, see Jeong Fig. 6, item 226.

Regarding claims 2 and 5, wherein said variable display means is one or more rotatable reels each having a reel band thereon, on which said designs are drawn, see Loose Fig. 1.

Regarding claims 3 and 6, wherein the reel-based gaming machine is a slot machine, see Loose Fig. 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Joeng, Loose and Ozaki as their inventions feature analogous subject matter. It is well known in the art to include an LCD screen to

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be disposed in front of slot machine reels, as shown in Loose. One would have been motivated to combine the LCD screen components of Jeong with the gaming device featuring an LCD screen as taught by Loose, as well as the window cut-out display design of Ozaki, in order to enhance the attractiveness of a gaming device display.

### ***Response to Arguments***

Applicant's arguments, filed December 11, 2006, with respect to claims 1-3 have been fully considered and are persuasive. The nonstatutory double patenting rejection of claims 1-3 has been withdrawn. However, the claims have been rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art disclosed in the above rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meagan Thomasson whose telephone number is (571) 272-2080. The examiner can normally be reached on M-F 830-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Meagan Thomasson  
February 20, 2007



ROBERT E. PEZZUTO  
SUPERVISORY PRIMARY EXAMINER